

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF HAWAII

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4 UNITED STATES OF AMERICA,) CR. NO. 19-00099-DKW-KJM
5 Plaintiff,) Honolulu, Hawaii
6 vs.) March 11, 2024
7 MICHAEL J. MISKE, JR.,) JURY TRIAL - DAY 35
8 Defendant.) (TESTIMONY OF GOVERNMENT'S
9) WITNESS JAYWARD REYLUBONG)

10 PARTIAL TRANSCRIPT OF PROCEEDINGS
11 BEFORE THE HONORABLE DERRICK K. WATSON
12 CHIEF UNITED STATES DISTRICT COURT JUDGE

13 APPEARANCES:

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33 Proceedings recorded by machine shorthand, transcript produced
34 with computer-aided transcription (CAT).

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1 MONDAY, MARCH 11, 2024

11:52 A M. O'CLOCK

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3 (Start of partial transcript:)

4 MR. AKINA: The government's going to call Jayward
5 Reylubong.

6 COURTROOM MANAGER: Please raise your right hand.

7 JAYWARD REYLUBONG, GOVERNMENT'S WITNESS, SWORN.

8 THE WITNESS: Yes, I do.

9 COURTROOM MANAGER: You may be seated.

10 Please state your full name, spelling your last name
11 for the record.

12 THE WITNESS: First name Jayward. Last name
13 Reylubong, R-E-Y-L-U-B-O-N-G.

14 DIRECT EXAMINATION

15 BY MR. AKINA:

16 Q Good morning, Mr. Reylubong.

17 A Good morning.

18 Q What do you do for work?

19 A I'm a small business owner.

20 Q What type of business do you own?

21 A An auto detailing business.

22 Q What neighborhood did you grow up in?

23 A I grew up in the Waimanalo area.

24 Q Do you know someone named John Stancil?

25 A Yes.

1 Q How did you meet him?

2 A I met him through my friend Cash.

3 Q What is Cash's name?

4 A Isaiah Kaeo-Cash.

5 Q And how do you know Isaiah Kaeo-Cash?

6 A We go way back. He was my best friend back then.

7 Q When you say back then, about what time was this?

8 A I would say like probably like four or five years ago.

9 Q In 2017, were you still close?

10 A Yes.

11 Q And at the time that you met John Stancil, how old were you?

13 A I'm not sure the age, but I was fresh out of high school still. So I would say like 18.

15 Q Had you just graduated?

16 A Yes.

17 Q What year was that?

18 A I graduated in 2017.

19 Q Would John Stancil ever buy you things?

20 A Yeah, he would -- he would take us to lunch and buy us food.

22 Q Would he ever pay for clothes?

23 A No.

24 Q Just food and drinks?

25 A Yes.

1 Q And when you hung out with John Stancil, would you hang
2 out with anyone else?

3 A No, just usually just him. Sometimes it would be with
4 Jake Smith.

5 Q What about --

6 A And Isaiah Cash.

7 Sorry, what was that?

8 Q So when you hung out with John Stancil, who else would you
9 hang out with?

10 A It would be with Jake Smith at some times.

11 Q And what about Isaiah Kaeo-Cash?

12 A Yes.

13 MR. AKINA: Could we show -- publish Exhibit 1-863,
14 please, already in evidence?

15 THE COURT: Go ahead.

16 BY MR. AKINA:

17 Q Do you recognize this person?

18 A Yes.

19 Q Who is that?

20 A Isaiah Kaeo-Cash.

21 Q You mentioned Jake Smith. How did you meet Jake Smith?

22 A I met him through Isaiah Cash also.

23 Q So it sounds like John Stancil and Jake Smith, those are
24 more Isaiah Kaeo-Cash's friends?

25 A Yes.

1 Q Did you ever meet someone named Dayson Kaae?

2 A Yes.

3 Q How do you know him?

4 A I met him through Jake them.

5 Q All right. Jake Smith and his friends?

6 A Yes.

7 Q So in November of 2017, November 27th, 2017, fair to say
8 that you had only known John Stancil for a few months at that
9 point?

10 A Yes.

11 Q And on that day who were you with, initially?

12 A I was with John Stancil, Isaiah Cash, and Jake Smith.

13 Q About what point in the day is that?

14 A I would say like in the afternoon, like early afternoon.

15 Q Okay. Do you recall what happened that morning?

16 A Yes.

17 Q What happened that morning?

18 A We parked in front of the tattoo shop.

19 Q Okay. And at this point, who is in the car?

20 A It was me, Isaiah Kaeo-Cash, John Stancil, Jake Smith, and
21 Dayson.

22 Q And that -- few seconds ago you mentioned being together
23 in the afternoon.

24 A Yeah.

25 Q So how did you go from the morning to the afternoon?

1 A Sorry.

2 Q Okay. Just what do you --

3 A Yeah. No, no, I got all confused. But it was in the
4 afternoon.

5 Q What is --

6 A Yeah, it wasn't in the morning at all.

7 Q Okay.

8 A Yeah.

9 Q Okay. So what are you thinking about happening when you
10 said that the five of you, you're in this car outside Aloha
11 Tattoo? Just to be clear, is that morning or afternoon?

12 A It was more towards like the afternoon.

13 Q Okay. And do you recall what the plan was for that day
14 prior to getting to Aloha Tattoo?

15 A No. I thought it was just going to be a casual day.

16 Q By casual day, what do you mean?

17 A By like going to the beach and hanging out.

18 Q When you got to Aloha Tattoo, where were you seated in the
19 vehicle?

20 A I was seated in the back middle.

21 Q Where was Isaiah Kaeo-Cash?

22 A To the left of me.

23 Q And where was Dayson Kaae?

24 A On the right of me.

25 Q So three of you were in the back?

1 A Yes.

2 Q And what about John Stancil, where was he?

3 A The driver.

4 Q And Jake Smith?

5 A The passenger.

6 Q Front passenger?

7 A Yes.

8 Q You remember what type of car you all were in?

9 A I believe it was a gold Camry.

10 Q About how long did all of you stay in front of Aloha
11 Tattoo?

12 A It was probably like 10, 15 minutes.

13 Q And then what happened?

14 A And Dayson and John Stancil jumps out of the car.

15 Q Did they say anything prior to doing that?

16 A No.

17 Q Did you know what they were about to do?

18 A No.

19 Q Do you recall how they were dressed at that point?

20 A I remember John Stancil having a mask on and with a
21 long-sleeve, but not too sure what color it was.

22 Q What about Dayson Kaae, did he have a mask on?

23 A No.

24 Q Where did they go after they jumped out of the car?

25 A Into the tattoo shop.

1 Q Did you see what happened inside that tattoo shop?

2 A No. I just seen people scattering out of the way.

3 Q Then what happened?

4 A And then they both come out.

5 Q And then?

6 A And Dayson is bleeding.

7 Q Where was he bleeding from?

8 A From his abdomen section.

9 Q And what about John Stancil?

10 A He just ran into the car.

11 Q Which part of the car did John Stancil go to?

12 A To the driver.

13 Q And what about Dayson Kaae?

14 A To the back passenger.

15 Q And did you help him in any way getting into the car?

16 A No.

17 Q When John Stancil came out of the shop, was he still
18 wearing that mask?

19 A Yes.

20 Q Do you recall if he was wearing anything on his hands?

21 A I believe he was wearing gloves, but I'm not too sure what
22 color it was.

23 Q At this point did anyone say anything?

24 A No.

25 Q What happened next?

1 A we drive off. Or first, our tires get slashed.

2 Q who slashed your tires?

3 A One of the guys that was stabbing Days.

4 Q Okay. Was this the guy who came from the tattoo shop?

5 A Yes.

6 Q And he slashed your tires?

7 A Yes.

8 Q Do you remember which tires?

9 A I remember it was passenger front and the back.

10 Q Were you scared at that point?

11 A Yes.

12 Q After you guys drove off, what happened?

13 A We drove off to Assagio's where we all jumped out of the
14 car. And after that, we ran to Zippy's.

15 Q Okay.

16 A And I got threatened at Zippy's from John Stancil, saying
17 that if I would tell anybody, something would happen to me.

18 Q Okay. So let's break this down a bit.

19 You all stop at Assagio's. And do you recall anything
20 anyone said inside the car up to that point?

21 A No.

22 Q And was Dayson Kaae, was he still alive at that point?

23 A Yes.

24 Q Did he appear in need of medical attention?

25 A Yes.

1 Q Did you try to get him medical attention at any point?

2 A Yes. I tried calling.

3 Q Calling who?

4 A The ambulance. I called 911.

5 Q Okay. At what point?

6 A After we left Zippy's and we ran to O'Reilly's.

7 Q Okay. So that's later.

8 A Yes.

9 Q And did anyone say anything as you all were leaving the
10 car?

11 A No.

12 Q Okay. Do you remember who left first from that scene?

13 A John Stancil.

14 Q He left first?

15 A Yes.

16 Q Did he go alone or with you guys?

17 A He left first, by himself.

18 Q Okay. And then what did you, Isaiah Kaeo-Cash, and Jake
19 Smith do?

20 A We went to Zippy's.

21 Q How'd you guys get to Zippy's?

22 A We ran on our foot.

23 Q And so you guys left Dayson Kaae in the car?

24 A Yes.

25 Q Why did you leave Dayson Kaae in the car?

1 A I didn't know what to do, I was so scared.

2 Q Okay. Had you ever experienced something like this
3 before?

4 A No, not at all.

5 Q At Zippy's, you mentioned that you got threatened?

6 A Yes.

7 Q How did that happen?

8 A John Stancil just came out to me and said that if I told
9 anybody, something would happen to me.

10 Q And then what happened?

11 A And then he got picked up by his girlfriend at the time,
12 Chloe.

13 Q John Stancil did?

14 A Yes.

15 Q Okay. Anyone else go with him?

16 A No.

17 Q Just him alone?

18 A Yes.

19 Q And then what did the three of you do?

20 A We ran to O'Reilly's.

21 Q Is that near Zippy's?

22 A Sorry. What was that?

23 Q Is that near Zippy's?

24 A Yes.

25 Q And you said around that time is when you tried to call

1 911?

2 A Yes.

3 Q Were you able to?

4 A I mean, I got on the phone, but then Jake gave me a look
5 to like shut off the phone.

6 Q Okay.

7 A So I shut it off.

8 Q What did you take that look to mean?

9 A Like I want to hurt you.

10 Q And that's why you shut the phone off?

11 A Yes.

12 Q After you, Jake Smith, and Isaiah Kaeo-Cash went to
13 O'Reilly's, then what happened?

14 A We got picked up by a female. I don't know who she is.
15 And then we got dropped off at home. And after that couple
16 hours, we got picked back up by Jake Smith and his girl at the
17 time, Kayla Keoho.

18 Q Okay. So when you got dropped off at home, it was you and
19 who else?

20 A And Isaiah Cash.

21 Q Okay. What did you two do after you got dropped off at
22 home?

23 A We just sat there and looked at each other, in shock.

24 Q And so you said later on you got picked up by Jake Smith
25 and Kayla Keoho. Was that that same evening?

1 A Yes.

2 Q And what happened at that point when Jake Smith came to
3 pick you guys up?

4 A He picked us up and he took our phones away, mine and
5 Isaiah Cash's.

6 Q What do you mean by took your phones away?

7 A Demanded our phones.

8 Q Did you give him your phone?

9 A Yes.

10 Q Did you know what was happening at that point?

11 A No.

12 Q Did you go in the car with him?

13 A Yes.

14 Q Where did you go from there, after Jake Smith and Kayla
15 Keoho picked you up?

16 A We went to this place in Kailua by the theaters.

17 Q Okay. And tell us what happened there.

18 A We met somebody there that was all black, masked, and he
19 asked if we was okay.

20 Q Okay. So you went to the theaters. And did you meet with
21 that person alone or with other people?

22 A Alone.

23 Q Alone. And how did you end up meeting with that person?

24 A Jake Smith took us.

25 Q Okay. So Jake Smith drives you to some area by the

1 theaters.

2 A Yes.

3 Q Is that -- what part of the island is that?

4 A In Kailua, Enchanted Lake.

5 Q Okay. And then does anyone tell you that you need to meet
6 with someone, or how does that happen?

7 A No. Nobody tells us nothing.

8 Q Okay. Does Jake Smith say anything to you that you recall
9 before meeting with this person?

10 A No.

11 Q Okay. And how are you at that point?

12 A Scared.

13 Q When you went to meet with this person, did you have to
14 get out of the car that you were in with Jake Smith?

15 A Yes.

16 Q And so you get out alone. And is it dark outside yet?

17 A Yes.

18 Q And where do you go from there once you get out of the
19 car?

20 A I go to see that person.

21 Q Did you have to -- were they right there or did you have
22 to walk?

23 A I had to walk pretty far.

24 Q And then you meet this person in a mask?

25 A Yes.

1 Q The person in the mask, can you -- did you know who that
2 person was at that time?

3 A No.

4 Q And you said that person asked if you were okay?

5 A Yes.

6 Q And what did you tell them?

7 A I was scared. I didn't know what to say. I was
8 speechless.

9 Q Do you recall how that person was size-wise?

10 A Like a medium build. Tall.

11 Q And the voice, do you remember if it was high or low?

12 A It was kind of like on the lower side, local, but not like
13 super local to where there was pidgin. Yeah.

14 Q You told that person that -- okay, after talking to that
15 person, then what happened?

16 A Then we left. we got brought to a hotel in Waikiki.

17 Q Okay. Now, prior to this, had you ever seen John Stancil
18 with any weapons?

19 A Sorry. Can you repeat that?

20 Q Have you ever seen John Stancil with any weapons prior to
21 this?

22 A No.

23 Or actually, in the tattoo shop, he went in with a -- it
24 looked like -- it kind of looked like a baton.

25 Q Okay. Can you describe that from what you remember?

1 A It was like a black baton-looking object.

2 MR. AKINA: Can we show the witness Exhibit 1-308,
3 which should already be in evidence?

4 THE COURT: Go ahead.

5 BY MR. AKINA:

6 Q Did it look like this?

7 A Yes.

8 MR. AKINA: We can take this down.

9 BY MR. AKINA:

10 Q Now, you said you got taken to a hotel in Waikiki. Which
11 hotel was that?

12 A I believe it was a DoubleTree, but I'm not too sure.

13 Q But it was in Waikiki?

14 A Yes.

15 Q And would you recognize a picture of it if you saw it?

16 A Yes.

17 MR. AKINA: Could we show the witness Exhibit 1-1102
18 from the government's ninth supplemental?

19 THE COURT: Go ahead.

20 BY MR. AKINA:

21 Q Do you recognize this?

22 A Yes.

23 Q What is this?

24 A The hotel we was staying in.

25 Q That first night?

1 A Yes.

2 MR. AKINA: I'd offer Exhibit 1-1102 into evidence.

3 THE COURT: Any objection?

4 MR. KENNEDY: No objection.

5 THE COURT: without objection, 1-1102 is admitted.

6 (Exhibit 1-1102 received in evidence.)

7 THE COURT: You may publish.

8 BY MR. AKINA:

9 Q So if we focus on the name of the building, this is the
10 DoubleTree Alana-Waikiki Beach?

11 A Yes.

12 Q Okay. By Hilton?

13 A Yes.

14 Q And this is where you were taken to by Jake Smith and
15 Kayla Keoho?

16 A Yes.

17 MR. AKINA: We can take this down.

18 BY MR. AKINA:

19 Q And the meeting that you described happening prior to
20 getting there --

21 MR. AKINA: Can we show the witness Exhibit 1-219a,
22 already in evidence?

23 THE COURT: You may. Go ahead.

24 BY MR. AKINA:

25 Q Do you recognize this?

1 A Yes.

2 Q What is this?

3 A It's the place where we met.

4 Q And right in the middle it says "Enchanted Lake Center."

5 Is that what you were referring to when you said Enchanted
6 Lake?

7 A Yes. We met -- we met at a place called Enchanted Lake
8 Pet, in that area.

9 Q Can you circle it?

10 A (Complies.)

11 Q Is that the area that you met with the man in the mask?

12 A Yes.

13 Q And where did you get out of the car with Jake Smith?

14 A I got out near Boots & Kimo's. But it wasn't Boots &
15 Kimo's at the time, but in that area.

16 Q Okay. And so you kind of walked around on the left side
17 of this map, behind Safeway, towards the -- towards the cinema?

18 A Yes.

19 Q And you did that alone?

20 A Yes.

21 MR. AKINA: We can take this down.

22 BY MR. AKINA:

23 Q That first night at the hotel in Waikiki, who stayed with
24 you?

25 A It was Jake Smith and Kayla Keoho and Isaiah Cash.

1 Q Not John Stancil?

2 A No.

3 Q Did you feel free to leave?

4 A No.

5 Q Why not?

6 A I was scared. And I felt like they wouldn't even let us
7 go home.

8 Q Did the fact that Jake Smith took your phone have anything
9 to do with that?

10 A Yes.

11 Q And the fact that you met with a masked man in a parking
12 lot, did that have anything to do with it?

13 A Yes.

14 Q After that first night, what happened?

15 A After the first night?

16 Q Yes.

17 A So after the first night, nothing really happened. We
18 just stay in the hotel. And then it went on to the next
19 morning, and we had another meeting by the Hilton.

20 Q Okay. Who told you about that meeting?

21 A Nobody told us. They just took us there. Took me and
22 Isaiah Cash there.

23 Q Who took you?

24 A Jake Smith.

25 Q So Jake Smith takes you and Isaiah Cash?

1 A Yes.

2 Q To the Hilton?

3 A Yes.

4 Q Is that close to where you're staying?

5 A I'm not too sure. I think it is.

6 Q Was it still in Waikiki or some other part?

7 A Yes. It was still in Waikiki.

8 Q And who -- who's at this meeting?

9 A Mike Miske.

10 Q And it was you and Mike Miske. Anyone else?

11 A It was just me, Isaiah Cash, Jake Smith, and Mike Miske.

12 Q And how did you know it was Mike Miske?

13 A Because I've seen him around with John Stancil before.

14 Q Was he wearing a mask?

15 A No.

16 Q That's how you knew it was Mike Miske?

17 A Yes.

18 Q Would you recognize him if you saw him again today?

19 A Yes.

20 Q Can you take a look around the courtroom and identify him
21 by something he's wearing?

22 A He's sitting with a -- he's sitting over there with the
23 gray suit.

24 MR. AKINA: Let the record reflect the witness has
25 identified the defendant.

1 THE COURT: Yes. The record should reflect the
2 witness Mr. Reylobong's identification of the defendant,
3 Mr. Miske.

4 BY MR. AKINA:

5 Q And what happened at this meeting?

6 A I walk up to him and he just asks if I was okay and what I
7 was scared about. And it got cut off short because an unknown
8 vehicle pulled up and he left.

9 Q So this unknown vehicle pulls up, and then who left?

10 A Mike Miske.

11 Q Did he say anything before he left?

12 A No.

13 Q Was it abrupt?

14 A Sorry. What was that?

15 Q Did it seem pretty abrupt when he left, pretty quick?

16 A Yes.

17 Q So after that, where did you stay that second night?

18 A We got picked up by John Stancil.

19 Q Okay. Anyone with John Stancil?

20 A It was just him by himself.

21 Q And where were you taken?

22 A We was taken to the Marriott in Ko Olina.

23 Q In Ko Olina?

24 A Yes.

25 Q Other side of the island?

1 A Yeah.

2 Q And did you stay at any other hotels after that?

3 A Yes. Two more hotels.

4 Q Do you remember what parts of the island?

5 A I remember one of them being by Polynesian Cultural
6 Center, but I don't know the last one that we stayed in. It
7 was somewhere in Waikiki, but I don't know the name of it.

8 Q So it sounds like you're -- the first night with Jake
9 Smith was one hotel, and then there were three other hotels
10 with John Stancil; is that correct?

11 A Yes.

12 Q Do you know who -- during the times that you were staying
13 at the hotels, were you ever taken to see an attorney?

14 A We was taken to one, me and Cash.

15 Q Who took you?

16 A John Stancil.

17 Q And what part of the island was that attorney in?

18 A It was like in Chinatown somewhere, like Bishop Street,
19 somewhere around that area.

20 Q And did you meet with an attorney?

21 A I did not.

22 Q Were you present while someone spoke to an attorney?

23 A Yes.

24 Q Who?

25 A Isaiah Cash.

1 Q Okay. So you were in the same room while Isaiah Cash
2 spoke to an attorney?

3 A Yes.

4 Q And can you describe what that attorney looked like?

5 A He was kind of like Asian, like Japanese, like older.
6 He's kind of like an older guy.

7 Q Older Japanese male?

8 A Yeah. And he was like more on the short side.

9 Q And to your knowledge, did you or Isaiah Cash hire this
10 attorney?

11 A No, not at all.

12 Q Did either of you pay any money for this meeting?

13 A No.

14 Q What happened at this meeting?

15 A Isaiah Cash just explained what happened. That was about
16 it.

17 Q After the fourth hotel that you were staying at, what
18 happened?

19 A We got dropped off at Isaiah Cash's house.

20 Q When you say "we," who is we?

21 A Me and Isaiah Cash.

22 Q And you said that Jake -- and who dropped you off?

23 A John Stancil.

24 Q Do you remember the type of car he was driving around that
25 time?

1 A It was like a silver Jaguar.

2 Q Do you know if he had a girlfriend around that time?

3 A Yes. I believe her name was Chloe.

4 Q Did you see her at any point during the hotel stays?

5 A Yes.

6 Q At what points?

7 A She would come here and there.

8 Q Did she -- was she there when John Stancil dropped you off
9 at home, at Isaiah Cash's home?

10 A No.

11 Q You said that Jake Smith demanded your phones initially
12 when he picked you up the same night?

13 A Yes.

14 Q When this all started?

15 Did you get your phone back?

16 A No, not at all.

17 Q Did you get any phone?

18 A John Stancil bought us a phone.

19 Q When you say "us," who did he buy phones --

20 A Me and Isaiah Cash.

21 Q Was that after you got dropped off?

22 A Yes.

23 Q After this happened, did you continue hanging out with
24 Isaiah Kaeo-Cash?

25 A Yes.

1 Q And did that --

2 A After -- after I got dropped off, I started to live with
3 him 'cause I had nowhere else to go.

4 Q And after some time, did that change?

5 A Yes.

6 Q Are you two still close friends?

7 A No, not as much.

8 Q Did you have any further contact with John Stancil at some
9 other point in time after this incident happened?

10 A I mean, I tried not to get in contact with him, but
11 there's this one time where he kept asking me to go to lunch
12 with him, which was a weird feeling because he kept begging me
13 to go lunch with him.

14 Q Around when was that?

15 A It was like a year or two after the incident.

16 Q So 2018 or 2019?

17 A Yes.

18 Q And did you take him up on his offer?

19 A No.

20 Q Why not?

21 A Because I was scared something was going to happen to me.

22 Q Since this happened -- well, did you call the police?

23 A No, because I was scared.

24 Q You're referring to when you were threatened --

25 A Yes.

1 Q -- by John Stancil?

2 A Yes.

3 Q When was the first time that you spoke to someone, after
4 this happened in 2017, about this?

5 A When I spoke to you at our first meeting.

6 Q Was that towards the end of last year, 2023?

7 A Yes.

8 Q And so for that approximately five- or six-year period you
9 didn't say anything to anyone about this?

10 A No.

11 Q Why not?

12 A They would -- they would ask me about it, but I would just
13 nudge it because I was scared that if I ever said something, it
14 would get out and would get back to them and something would
15 happen to me.

16 Q That meeting that you had, the first one with the masked
17 man --

18 A Yes.

19 Q -- in the -- the Enchanted Lakes parking lot?

20 A Yes.

21 Q Can you describe, was there anything else near that
22 individual as you were walking towards him?

23 A There was just like an empty container, like a shipping
24 container.

25 Q Like one of those Matson containers?

1 A Yes.

2 Q And why did that stick out to you?

3 A It just didn't seem right to me, and 'cause the container
4 was kind of like open and didn't have a lock on it.

5 Q All right. Did that concern you at all?

6 A Yes.

7 Q Why?

8 A I thought I was going to be put in there.

9 MR. AKINA: All right. No other questions. Thank
10 you.

11 THE COURT: All right. We're at 12:21. Now it seems
12 to be the appropriate time for our second break of the trial
13 day. As we go to break, I will remind our jurors to please
14 refrain from discussing the substance of this case with anyone,
15 including each other, until I advise you otherwise.

16 Please refrain from accessing any media or other
17 accounts of this case that may be out there. And finally,
18 please do not conduct any independent investigation into the
19 facts, circumstances, or persons involved. And when we come
20 back from break we will begin with the cross of Mr. Reylubong.

21 COURTROOM MANAGER: All rise for the jury.

22 (The jury was excused at 12:21 p.m.)

23 (The proceedings recessed at 12:22 p.m. until
24 12:41 p.m.)

25 (Open court in the presence of the jury.)

1 THE COURT: All right. Back from our second and
2 final break of the trial day.

3 Mr. Kennedy, you may begin your cross-examination of
4 Mr. Reylobong.

5 CROSS-EXAMINATION

6 BY MR. KENNEDY:

7 Q Sir, I want to ask you some questions about when -- right
8 at the incident at Aloha Tattoo, okay?

9 A Yes.

10 Q All right. When Dayson and John, Kaae and Stancil, went
11 inside, you said that you couldn't see anything inside, right?

12 A Yes.

13 Q Okay. As they came out, you could see something, right?

14 A Yes.

15 Q And you could see a man stabbing Dayson, correct?

16 A Yes.

17 Q And you said it looked like he was trying to kill him.

18 A Yes.

19 Q All right. And that's what you could see on the outside,
20 right?

21 A Yes.

22 Q All right. Now, I want to ask you some specific questions
23 about when Jake took away your phone, okay?

24 A Okay.

25 Q All right. So you said that Jake Smith, who you had been

1 with, demanded your phones, right?

2 A Yes.

3 Q And he gave you a look, right?

4 A When was that?

5 Q When he was demanding the phones. I think you said he
6 gave you a look, right?

7 A No, I didn't say that.

8 Q Oh, I thought that you said he gave you a look like he
9 might hurt you.

10 A No. I didn't say that when he was demanding for our
11 phones.

12 Q Okay. He said it to you at some other time?

13 A Yes.

14 Q Okay. Unrelated to the phones?

15 A Yes.

16 Q Okay. But he did say that to you, right?

17 A Say what?

18 Q He gave you a look and that you interpreted that look like
19 something like he would hurt you, right?

20 A Yes.

21 Q Okay. Now, when John Stancil got out of the car, you said
22 that he had a -- did you say he had a phone?

23 A No.

24 Q Oh. He didn't have a phone at all?

25 A No.

1 Q Okay. So you didn't see him walk out with a phone,
2 correct?

3 A When was this?

4 Q At the Aloha Tattoo.

5 A Oh, I seen him walk out with a phone.

6 Q Okay. So you saw him with a phone as well?

7 A Yes.

8 Q And you said -- today you said you saw him with a baton,
9 right?

10 A Yes. He had a baton and a phone.

11 Q So in each of his hands?

12 A Yes.

13 Q As he walked in?

14 A Yes. He was using the phone -- he was using a phone to
15 videotape.

16 Q So when he walked inside he had a baton in one hand and a
17 phone in the other?

18 A Yes.

19 Q All right. Okay.

20 Now, you and Cash had been staying at a friend's house
21 that night?

22 A That night of the incident?

23 Q The night before. I apologize, that -- the night before.

24 A Yes.

25 Q Okay. Now, I want to step back a little bit and ask you

1 about when you first spoke with the federal prosecutor who was
2 just asking you questions, okay?

3 A Okay.

4 Q All right. So that was at his office, right?

5 A Yes.

6 Q And there was a FBI agent on the phone, right?

7 A Yes.

8 Q Okay. And that was in September of last year, right?
9 2023?

10 A I believe so.

11 Q Okay. And at that time, I believe, you were told that
12 they just wanted to talk with you, right?

13 A Yes.

14 Q That you weren't a target of the investigation, right?

15 A Yes.

16 Q And so you were -- said that you could have a lawyer,
17 right?

18 A Yes.

19 Q If you wanted to, right?

20 A Yes.

21 Q And it was in the office and they were making you feel
22 comfortable, right?

23 A Yes.

24 Q And that had been the first time that you had really been
25 talking about this, I would imagine, for some time, right?

1 A Yes.

2 Q And so this was in 2023, right?

3 A Yes.

4 Q The incident happened back in 2017, right?

5 A Yes.

6 Q So they asked you a number of questions, right?

7 A Yes.

8 Q You gave them the answers, right?

9 A Yes.

10 Q You told them what you knew, right?

11 A Yes.

12 Q You went through every detail, right?

13 A Yes.

14 Q 'Cause you wanted to be complete, right?

15 A Yes.

16 Q You wanted to be accurate, right?

17 A Yes.

18 Q You didn't want to leave anything out, correct?

19 A Yes.

20 Q And you wanted to tell them the whole story, right?

21 A Yes.

22 Q Okay. So, now, during that interview in September of
23 2023, you never mentioned meeting with anyone in a mask.

24 A I went back another time and --

25 Q Sir --

1 A Not the first time.

2 Q I understand. The question that I asked you was: During
3 that first meeting you never mentioned anyone -- about any
4 meeting with someone wearing a mask, correct?

5 A Correct.

6 Q All right. Now, you mentioned -- nor did you ever mention
7 in that first meeting any meeting with Mike Miske, correct?

8 A Correct.

9 Q Okay. Now, as you said, you've had a second meeting,
10 right?

11 A Yes.

12 Q Okay. And that was after this trial started, on
13 February 13th of this year, right?

14 A I believe so.

15 Q Okay. So February of this year you met with them again,
16 correct?

17 A Yes.

18 Q And you sat down. And once again, they asked you
19 questions, right?

20 A Yes.

21 Q And you gave them answers, right?

22 A Yes.

23 Q Okay. Now, in this meeting you said for the first time
24 that you met with someone in a mask, right?

25 A Yes.

1 Q Okay. And you said it was someone that you didn't know,
2 right?

3 A Yes.

4 Q Medium build, right?

5 A Yes.

6 Q You're five foot eight, right?

7 A I'm five foot eight?

8 Q Yes.

9 A Yes.

10 Q A little taller than you, right?

11 A Yes.

12 Q Okay. Spoke in a low voice?

13 A Yes.

14 Q Sounded local?

15 A Yes.

16 Q And asked you if you were okay?

17 A Yes.

18 Q Okay. That's the first time that you had mentioned that
19 meeting, correct?

20 A Yes.

21 Q And so this was the second time that you had met with
22 them, right?

23 A Yes.

24 Q And you wanted to be completely accurate and honest,
25 right?

1 A Yeah.

2 MR. AKINA: Your Honor, I'm going to object. It's an
3 improper impeachment.

4 THE COURT: Overruled. Go ahead.

5 BY MR. KENNEDY:

6 Q You didn't want to leave anything out, right?

7 A Yes.

8 Q So now you've told them about a meeting with someone who
9 was wearing a mask, right?

10 A Correct.

11 Q All right. But during that meeting, just in February of
12 this year, you didn't tell 'em that you had met with Mike
13 Miske, correct?

14 MR. AKINA: Objection, improper impeachment.

15 A I don't recall.

16 BY MR. KENNEDY:

17 Q Because --

18 THE COURT: The objection's overruled.

19 Go ahead.

20 BY MR. KENNEDY:

21 Q In this -- let me be specific. The meeting regarding the
22 person who wore a mask, in February of this year, you said that
23 that was in Kailua, correct?

24 A Yes.

25 Q Over in the Enchanted Lakes area, right?

1 A Yes.

2 Q By the Safeway, correct?

3 A Yes.

4 Q And then the government counsel asked you about the Kailua
5 Cinemas that are nearby, right?

6 A Yes.

7 Q And that is where you told them the meeting happened,
8 right?

9 A Correct.

10 Q With someone in a mask, right?

11 A Correct.

12 Q Who asked you if you were okay, right?

13 A Correct.

14 Q And what you told the jury today, right?

15 A Yeah.

16 Q Never in that meeting in February did you tell them that
17 you ever had a meeting at the Hilton with Mike Miske, correct?

18 MR. AKINA: Objection, improper impeachment.

19 THE COURT: Overruled. Go ahead.

20 A Correct.

21 BY MR. KENNEDY:

22 Q Okay. So now you have a third telling, okay? And this
23 is, it looks like, March 6th. So today's the 11th. So it was
24 just last week, right?

25 A Yes.

1 Q Okay. And so at this time is the first time, after two
2 prior meetings, that you ever told them about supposed meeting
3 with Mike Miske at the Hilton, correct?

4 A Yes.

5 Q So for the first time you say that's when you met Mike
6 Miske, right?

7 A Yes.

8 Q And you said for the first time that apparently Mike Miske
9 asked you if you were okay, right?

10 A Yes.

11 Q And what you were scared of?

12 A Yes.

13 Q Okay. And then -- and that was just last week, right?

14 A Yes.

15 Q All right. Now, when the vehicle that was driven away
16 from Aloha Tattoo, did you see the individual who looked like
17 to you was trying to kill Dayson stabbing tires?

18 A Yes.

19 Q Okay. And did you see him stabbing tires on the passenger
20 side of the car?

21 A Yes.

22 Q Did you see him go around and stab anything on the front
23 tire?

24 A No.

25 Q Okay. Were you in the back seat in the middle?

1 A Yes.

2 Q Was this at the same time that Dayson was coming into the
3 car, right?

4 A Yes.

5 Q And you noticed him bleeding, right?

6 A Yes.

7 Q And so the fact that he's bleeding, you're right next to
8 him, caught your attention, right?

9 A Yes.

10 Q And you figured he was bleeding 'cause you had seen the
11 guy trying to stab and kill him, correct?

12 A Yes.

13 Q All right. Now, the car takes -- goes up to the first
14 right and takes it, right?

15 A Yes.

16 Q Goes a couple blocks and takes the first left, correct?

17 A Yes.

18 Q Because the left that the jury could see would go into a
19 shopping -- parking area, correct?

20 A Sorry. What was that?

21 Q On the map there looks like a little area that you could
22 turn left, but that goes into a parking lot, correct?

23 A Not too sure.

24 Q Okay. All right. So you take another left, and the car
25 stops, right?

1 A Yes.

2 Q All right. Then you said that you ran to Zippy's, right?

3 A Yes.

4 Q And you eventually end up near the O'Reilly's auto shop,
5 right?

6 A Yes.

7 Q Now, that's about three to four blocks away?

8 A That's like a two-minute walk from Zippy's.

9 Q Okay. Two-minute walk.

10 And then at that time is when you call 911?

11 A Yes.

12 Q Did you say that you got through, right?

13 A I almost got through.

14 Q Okay. You almost got through.

15 A Yeah.

16 Q And then that's when the look came, right?

17 A Yes.

18 Q From Jake Smith, right?

19 A Yes.

20 Q And Dayson was his friend, right?

21 A Correct.

22 Q And he gave you that look, right?

23 A Correct.

24 Q Okay. Now -- when --

25 You say that you went to see some lawyers, right?

1 A Yes.

2 Q Okay. And are you saying that you and Cash were together
3 in the same room?

4 A Yes.

5 Q And that Cash was meeting with a lawyer and you were there
6 with him?

7 A Yes.

8 Q So you weren't meeting separately with John Stancil with
9 someone else?

10 A No.

11 Q Oh, okay. All right.

12 Now, you stayed at a friend's house, right?

13 A Yes.

14 Q And did you stay there that night before?

15 A I --

16 Q The 26th, the night before the Aloha Tattoo incident.

17 A I was staying there before the incident.

18 Q Okay. And how long had you been staying there?

19 A For like one to two years.

20 Q Okay. About one to two years there, right?

21 A Yes.

22 Q At that friend's house, right?

23 A Yes.

24 Q Okay. And you were staying there the night before with
25 Cash?

1 A Yes.

2 Q And you were with Cash that night?

3 A Yes.

4 Q Okay. All right. And were you at the house that night?

5 A Of the incident?

6 Q Yeah.

7 A Yeah, we got dropped back over there.

8 Q Okay. Oh, I'm sorry. That was a -- that's on me. That
9 is a bad question.

10 The night before.

11 A Yes.

12 Q When you were staying there on the 26th, right? Were you
13 there at the house all night?

14 A Yes. I live there.

15 Q Okay. Did you go out at all?

16 A No.

17 Q Okay. All right. Let me show you some -- what's been
18 marked and admitted into evidence as 9427-028.

19 THE COURT: Okay. Go ahead.

20 BY MR. KENNEDY:

21 Q Do you recognize individuals in 9427-028?

22 A Yes.

23 Q Who do you recognize?

24 A Isaiah Cash and Jake Smith and Days.

25 Q Okay. Were you with them that night?

1 A No.

2 Q All right. How do you know?

3 A Where is that at? Is that at a nightclub? If it was at a
4 nightclub, I would be too underage to be going to a nightclub.

5 Q Okay. So you weren't with them that night?

6 A Yes.

7 Q Okay. Let's move on to 927-028a [sic].

8 Was -- you recognize that as the same photo, correct?

9 A Correct.

10 Q Now, this is Cash here, where I've drawn the X?

11 A Correct.

12 Q All right. And this is Jake Smith (indicates)?

13 A Correct.

14 Q And this is Dayson Kaae, right?

15 A In the white shirt?

16 Q Yeah.

17 A Correct.

18 Q Kaae?

19 A Yes.

20 Q All right. And do you know any of the other individuals
21 in the photograph?

22 A No.

23 Q Okay. When -- do you recognize what Cash is doing with
24 his hand there?

25 A It looks like he's holding up a fist.

1 Q Okay. Do you see a -- a finger going forward (indicates)?

2 A It kind of looks like. I'm not too sure.

3 Q All right.

4 MR. AKINA: Your Honor, this is outside the scope of
5 his direct examination.

6 THE COURT: Sustained.

7 BY MR. KENNEDY:

8 Q Do you recognize anything that is happening in there as
9 gang signs, sir?

10 MR. AKINA: Objection.

11 THE COURT: Sustained.

12 MR. KENNEDY: We can clear that.

13 If we go to 927-029 [sic].

14 MR. AKINA: Same objection to questions related to
15 this photograph.

16 THE COURT: This is 9427?

17 MR. KENNEDY: 9427-029. If I misspoke, I apologize,
18 Your Honor.

19 THE COURT: Yes. So this has been admitted. You may
20 proceed.

21 MR. KENNEDY: All right.

22 BY MR. KENNEDY:

23 Q Do you recognize Jake Smith?

24 A Yes.

25 Q Do you recognize Isaiah?

1 A Yes.

2 Q And do you recognize Dayson?

3 A Yes.

4 Q All right. You weren't with them that evening?

5 A No. I'm not too sure.

6 Q So you said when you weren't certain what was going to
7 happen the next day on the 27th, you talked about maybe going
8 to the beach, right?

9 A Yeah.

10 Q You didn't go to the beach, right?

11 A No.

12 Q You didn't do any of that stuff that day, correct?

13 A Correct.

14 Q You ended up at the Aloha Tattoo, right?

15 A Yes.

16 Q And Dayson went in there?

17 A Yes.

18 Q And John Stancil went in there, correct?

19 A Correct.

20 Q And you don't know why they went in there, do you?

21 A No, not at all.

22 Q And did you hear Jake tell Dayson to go in?

23 A No.

24 Q So you weren't aware of that, correct?

25 A No.

1 MR. KENNEDY: Nothing further.

2 THE COURT: Mr. Akina, go ahead. Redirect when
3 you're ready.

4 REDIRECT EXAMINATION

5 BY MR. AKINA:

6 Q You have no idea what happened inside Aloha Tattoo; is
7 that correct?

8 A Yes.

9 Q You were shown two photographs at the end of the
10 cross-examination. You remember that?

11 A Yes.

12 Q Did you see John Stancil in either of those photographs?

13 A No.

14 Q Do you remember the events that took place surrounding
15 Aloha Tattoo clearly in your mind?

16 A I'm sorry. Can you repeat that?

17 Q Let me -- I'll rephrase it.

18 A Yes.

19 Q Have you experienced anything like that before?

20 A Not at all.

21 Q Will that stick with you for the rest of your life?

22 A For sure.

23 Q You saw your friend die, Dayson Kaae?

24 A Yes.

25 Q You were threatened by John Stancil?

1 A Yes.

2 Q You got a threatening look from Jake Smith?

3 A Yes.

4 Q And then your phone was taken later that night by Jake
5 Smith?

6 A Yes.

7 Q And you were taken to hotels afterwards?

8 A Correct.

9 Q And you met with a masked man in a dark parking lot?

10 A Yes.

11 Q And then you met with Michael Miske?

12 A Yes.

13 Q And you were taken to meet with an attorney?

14 A Yes.

15 Q Did you feel free to leave at that point where you were at
16 the hotels?

17 A No.

18 Q Was it because of all those events that had just taken
19 place?

20 A Yes.

21 Q Any doubt in your mind that what you testified to today is
22 what took place?

23 A Sorry. Can you rephrase?

24 Q Sorry. Bad question.

25 what you testified today, is that what you recall

1 happening?

2 A Yes.

3 MR. AKINA: No other questions.

4 THE COURT: Mr. Kennedy, anything else?

5 RECROSS-EXAMINATION

6 BY MR. KENNEDY:

7 Q Sir, in your experience, does the truth take three
8 tellings?

9 A Sorry. What was that?

10 MR. AKINA: Objection.

11 BY MR. KENNEDY:

12 Q In your experience, does the truth take three tellings?

13 MR. AKINA: Objection.

14 THE COURT: Sustained.

15 THE WITNESS: What does that mean?

16 THE COURT: It means you don't need to answer the
17 question.

18 MR. KENNEDY: Nothing further.

19 THE COURT: You may step down, Mr. ReyLubong. Thank
20 you, sir.

21 THE WITNESS: Thank you.

22 (witness excused.)

23 (End of partial transcript.)

24 * * * * *

25

COURT REPORTER CERTIFICATE

2 I, Ann B. Matsumoto, Official Court Reporter, United
3 States District Court, District of Hawaii, do hereby certify
4 that pursuant to 28 U.S.C. Sec. 753 the foregoing is a
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6 recorded proceedings held in the above-entitled matter and that
7 the transcript page format is in conformance with the
8 regulations of the Judicial Conference of the United States.

DATED at Honolulu, Hawaii, June 22, 2024.

/s/ Ann B. Matsumoto
ANN B. MATSUMOTO, RPR